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THE  
P L A G I A R Y  
E X P O S E D :  
O R A N

Old Answer

TO A

Newly revived Calumny

Against the MEMORY of

King C H A R L E S I.

Being a

R E P L Y

To a B O O K intitled

King *Charles's* C A S E,

Formerly written by *John Cook* of *Grays Inn*, Barrister;  
and since Copied out under the Title of Collonel  
*Ludlow's* L E T T E R.

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Written by Mr. *Butler*, the Author of *Hudibras*.

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L O N D O N : Printed for *Tho. Bennet* at the Half-Moon in  
S. *Pauls* Churchyard. M D C X C I.

THE

P L A G I A T E

E X P O S E D :

OR

Old Answer

TO

Remedy against Plagiarism

As published in the

King Charles

and

R E P U B L I C

TO

King Charles

Formerly written by the  
and first printed  
London 1798

Wm. ...

# P R E F A C E TO THE R E A D E R.

**T**HE Publisher of this following Discourse has thought fit to oblige the World with a piece of Curiosity: it was penn'd. above forty years since by the ingenious and celebrated Author of Hudibras. The Libel, which he answers, was the Labour of one John Cook, Barrister of Grays Inn, formerly a great pains-taker in the Mysteries of Rebellion. To give you the original of it, 'twas a studied Invektive against the Person of King Charles I. before the High Court of Justice (so called) of infamous memory; but upon the non-pleading of the Royal Martyr, 'twas afterwards metamorphos'd into a Pamphlet, with the specious Title of King Charles's Case; or an Appeal to all rational Men, concerning his Tryal. How rational this Appeal was, may be easily discover'd from those numerous Fallacies and notorious Falshoods which our Author has detected in him, not only as to what concerns plain matter of fact, but also in the Pamphleteer's pretended way of reasoning, false Logick, and worse Law. I shall not enter into the merits of the Cause; for I suppose the more rational part of Mankind is abundantly satisfied in the Innocency of that Great Man as to any thing that was laid to his charge; and upon that account indeed these would have been little occasion at this time of day to produce so great an Advocate for his Memory, but that there is risen amongst us a new Race.

## Preface to the Reader.

*Race of the old Republican Stamp, who have reviv'd the Quarrel, and copied out the obsolete and almost forgotten Scandal of our Libeller, and made it their own. The Author of Ludlow's Letter may be reckon'd amongst the first of these, one that always sat up for a Patron of Faction, and a Promoter of the Good Old Cause, but shew'd himself most in that famous year when he was one of the Tribunes of the People. I should not have made such a Digression upon this worthy Pairiot, but that I find him to intrude amongst his Friends Mr. Milton and our Libeller, and seems to be the very copy of their Malice at least, tho not their Wit; and for that reason I must confess he seems to be least pointed at by our Answerer. I shall say no more of him at present, but pass him by with the same Contempt as the Government has wisely done; 'tis but unseasonable quarrelling with a Man that is arm'd with so much dirt, you'll be sure of that if you have nothing else.*

*I need not trouble the Reader with any Harangue upon our Author or his Book; I suppose he is no stranger to the honest and more learned part of the Kingdom; and as for the rest, 'twas their best security they were not known by him. I shall only add, that it was Mr. Butler's design to Print the Discourse himself, had not Death prevented him; and since it has fell into the Editor's hands, 'tis but a piece of Justice to his Memory to let the World make their Advantage of it.*

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Mr. COOKE,

**H**AVING lately seen a Book of yours, which you are pleased to call *King CHARLES his Case, or an Appeal to all Rational Men concerning his Tryal*; I was much invited to read it, by the Ingenuity promised in your Title. For having heard you stile your self Solicitor General for the Kings Dread Sovereign, and your own Honourable Client, the People; I was much taken with your impartiality, that not only exempts all Rational Men from being your Clients in this Case, in making them by your Appeal your Judges: for no Man you know can be Judge in his own Case, but acknowledge your High Court from which your Appeal to all Rational Men to consist of no such: But indeed I had not read many lines before I found mine own Error, as well as yours, and your Proceedings nothing agreeable to the plain dealing I expected from you; for you presently fall to insult upon the unhappiness of your undeserved Adversary, and that with so little moderation, as if you strove to make it a question whether his incomparable Patience, or your own ungoverned Passion should be the greater wonder of Men, preposterously concluding him Guilty, before with one Syllable you had proved him so: A strange way of doing Justice, which you endeavour to make good by a strange insolent Railing, and more insolent proceeding to the secret Counsel of Almighty God, from whence you presume to give Sentence on him: a boldness, no less impious than unjust in you were it true, since you can never know it to be so.

But indeed it is hard to say whether you have shewn more Malice or Vanity in this notable Declaration of yours; for he that considers the Affectation and fantastique Lightness of

your Language, (such as *Ireland*, a Land of Ire; Bite-Sheep for Bishops, and other such ingenious Elegancies of quibble;) must needs confess it an Oratory more becoming a Fool in a Play, or *Peters* before the Rabble, than the Patron of his Sovereigns Sovereign, or the gravity of that Court, which you say right wisely, shall be admired at the Day of Judgment. And therefore you do it to accuse him of reading *Johnsons* and *Shakespears* Plays, which should seem you have been more in your self to much worse purpose, else you had never hit so right upon the very Dialect of their railing Advocates; in which (believe me) you have really out acted all that they could fanfic of passionate and ridiculous Outrage.

For certainly Sir I am so charitable to believe it was your Passion that imposed upon your Understanding; else as a Gentleman you could have never descended to such peasantry of Language, especially against such a Person, to whom (had he never been your Prince) no Law enjoyns (whatsoever his Offences were) the punishment of Ribaldry. And for the Laws of God they absolutely condemn it; of which I wonder you that pretend so much to be of his Counsel, should be either to ignorant or forgetful.

Calamity is the Visitation of God, and (as Preachers tell us) a favour he does to those he loves; where-ever it falls it is the work of his Hand, and should become our Pity, not our Insolence. This the Antient Heathen knew, who believing Thunder came from the Arm of God, reverence the very Trees it lighted on.

But your Passion hath not only misled you against Civility, and Christian Charity, but Common Sense also; else you would never have driven your Chariot of Reason (as you call it) so far out of the Road, that you forget whither you are going, and run over every thing that stands in your way; I mean, your unusual way of Argument, not only against Reason, but your Self, as you do it at the first sally; for after your fit of raving is over, you bestow much pains to prove it one of the Fundamentals of Law. That the King is not above the Law, but the Law above the King; and this you deraign,

as you call it, so far that at length you say, the King hath not by Law so much Power as a Justice of Peace to commit any Man to prison; which you would never have done, if you had considered from whom the Justice derives his Power, or in whose Name his Warrants run, else you may as well say, a Man may give that which he hath not, or prove the Moon hath more Light than the Sun, because he cannot shine by night as the Moon doth. But you needed not have strained so hard, for this will serve you to no purpose, but to prove that which was never denied by the King himself; for if you had not a much worse Memory than Men of your Condition should have, you could not so soon have forgotten, that immediately after the reading of that Charge, the King demanded of your High Court, by what Law they could sit to judge Him; (as offering to submit if they could produce any,) but then silence or interruption were thought the best ways of confessing there was no such thing: And when he undertook to shew them both Law and Reason too, why they could not do it: The Righteous President told him plainly he must have neither Law nor Reason, which was certainly (as you have it very finely) the most comprehensive, impartial, and glorious Piece of Justice that ever was played on the Theater of *England*; for what could any Court do more than rather condemn it self than injure Truth.

But you had better have left this whole Business of the Law out of your Appeal to all Rational Men who can make no use of it, but against your self: for if the Law be above the King, much more is it above the Subject. And if it be so heinous a Crime in a King to endeavor to set himself above Law, it is much more heinous for Subjects to set themselves above King and Law both. Thus like right Mountebanks, you are fain to wound and poison your selves to cheat others, who cannot but wonder at the confidence of your imposture, that are not ashamed to magnifie the Power of the Law while you violate it, and confess you set your selves really above the Law to condemn the King for but intending it.

And indeed Intentions and Designs are the most considerable part both of your Accusations and Proofs, some of which

you are fain to fetch a great way off, as far as his Coronation Oath, which you next say He or the Archbishops by his order emasculated, and left out very material Words ( which the People shall choose ) which is most false ; for these Words were not left out, but rendred with more sence ( which the Commonalty have ) and if you consider what they relate to ( Customs ) you will find you cannot without open injury interpret (*elegerit* in the Latin Oath) shall choose not hath chosen; for if you will have *consuetudines quas vulgas elegerit*, to mean Customs which are to be not only use, which must be often repeated before it become a Custom, but choice which necessarily preceeds use.

But suppose it were as you would have it, I cannot see with what reason you can presume it to be a design to subvert the Laws, since you know he had sworn to defend them before in the first Article of the Oath, from which I wonder how you can suppose that so wise a Prince (as you acknowledge him to be) could be so irrational to believe himself absolute by this omission. But you are not without further contradiction yet, for if he were so perfidious a Violater of Oaths as you would have the World believe, what reason had he to be so conscientious of taking them, certainly he hath little cause to be nice what Oaths he takes, that hath no regard what Oaths he breaks.

Nor can I possibly understand your other construction of his refusal to take the Oath, as his Predecessors had done, which you will have a design to refuse his assent to such good Laws rather than bad Ones, as the Parliament should tender; for besides the absurd conceits that he must still like the bad better than the good, if you consider what you say afterwards the charitable sence will appear by your own Words to be truest, for you confess he gave his assent to any bad one, else you had not been fain for want of such to accuse him of a few good ones as you do there; which of these is most profitable let every rational Christian judge.

Your next Argument to prove the King's design to destroy the Law is thus ordered. Those Knights that were by an old Statute

Statute to attend at the King's Coronation, being promised by his Proclamation (in regard of the Infection then spread through the Kingdom, a Dispensation for their absence, were after found at the Council Table; no doubt by the procurement of some of your own Tribe, where they pleading the Proclamation for their Indemnity were answered: That the Law of the Land was above any Proclamation: Your Conclusion is therefore, The King had a design to subvert the Laws: sure there is no Man in his Wits but would conclude the contrary; such Arguments as these are much like the Ropes that *Oenus* twisted only for Asses to devour.

But if this should fail you know you were provided for another not less substantial, and that is his alteration of the Judges Commissions, who heretofore had their Places granted to them during their Good Behaviour, but he made them but during Pleasure, of this you make a sad Business of a very evil imaginary Consequence; but if you had considered before, what you say presently after, that the King and not the Judges is to be accountable for the injustice and oppression of the Government, &c. you would have found it very just that he should use his Pleasure in their dismissal as well as choice: For Men of your Profession that have lived long enough to be Judges, are not such Pussies in cunning to play their feats of Iniquity above-board: and if they may sit still they can be proved to have misbehaved themselves; the Prince that is to give account for all, may sooner know he is abused, than know how to help himself.

All the inconveniency which you can fantasie possible to ensue it, is only to such bad Judges as buy their Places; of whose Condition and Loss you are very sensible, as if they had too hard a Bargain of Injustice, and believe they may have reason enough to give unjust Judgment, rather than lose their Places and their Money too, if they shall receive such intimation from the King. But you forgot you self when you put this in your Appeal to all Rational Men; for they will tell you this was a bold affront done to your High Court of Justice; for if it were potential Tyranny (as you will have it) in the King to have but a design to indure the Judges to give Sentence

tence against the Law, which you say brings the People the very next step to Slavery : what is it in those who presume to give Sentence themselves not only contrary to Law, but the declared Opinion of all the Judges, and those of their choosing too. And ( I beseech you ) whither by your own Doctrine does this bring the People that submit to it? Certainly if you that can accuse the King of this had been a Jew heretofore, you would not only have stoned your Fellows, but your Saviour too.

But if all your Arguments should miscarry, you have a reserve left that does (as you say) irrefragably prove the design, what's that! is he restless to destroy Parliament or make them useless. Believe me, this is right *Ignotum per ignotius*, excellent consequence to prove his Design by his Desires; you should have proved his Desires first (if you would prove his Thoughts by his Thoughts) for certainly if ever he designed it, he desired it first. You had better have concluded plainly he did it because he designed it, for that is all one in Sense: But if I might be but half so bold with your Designs, I should with more reason guess you have one to make us believe your familiar Acquaintance with the secret Counsels of God (which you so often pretended to) else certainly he has given the desires of Man so private a Lodging, that without his own discovery (which you can give us no account of) you have no other way to know them. You do well, and if I may advise you, you shall give over this unlucky thing called Reason, and betake your self wholly to Revelations.

How these Arguments might prevail with your High Court of Justice I cannot tell; but in my opinion, they had little reason to thank you for this last, for while you make the King a Traytor, and prove his meer desire to destroy the Parliament, or make it useless, a purpose to subvert the Laws; you do but tell them what they are that have already done it, and the People what a deal of Law they are to expect hereafter. All you can justly in your own sense accuse the King of, is but Discontinuance, or untimely dissolution of Parliaments, which I wonder with what sense you can interpret a Design



to destroy the Parliaments, since all the World knows when he parted with his Power to dissolve the Parliament too: But see how doubly unjust you are, you accuse him for not calling Parliaments so often as he was bound to do by the Law once a Year (as you say) or oftner, but never consider how that is impossible to be done without dissolving them as often, for doing which notwithstanding with so much Clamor you condemn him. Thus you charge him with inconsistencies, and may with much more reason accuse him for calling Parliaments, because if he had not called them, he could never have dissolved them, which is very like your way of Argument.

But much better than you commonly use for your next (to remove an Objection out of your way) is thus managed; The King and not the Judges and evil Counsellors ought to be accountable for the Male-Administrations, Injustices and oppressions of the Parliament, your Reasons are, because he made such wicked and corrupt Judges: were they not his own Creatures; and ought not every Man to be accountable for the Work of his own Hands; believe me this were something if you could prove he made them wicked, as well as Judges. But if this Plea hold, you have argued well for your honourable Clients, the People; for if they made the King, as you say they did, you have cleared him of all such horrid Crimes, Murders and Massacres, which you take so much pains to no purpose to accuse him of; and like a right Man of Law have undone your Clients, upon whose score you set them: Your next Business will be to prove God Guilty of the Sins of Wicked Men, for they are his Creatures, and the Work of his Hands, I take it. But this is your perpetual method of doing him right, to make him sole Author and Owner of all his ill ordered or unhappy Actions, and not allow him a share in any good Deed or act of Grace.

And these are the Fundamentals of the Charge, only suppositions of Intentions and Designs, which how far you have proved just or profitable, any Man but your self judge: The Course you take afterwards is much worse in my Opinion; for you make your own Grounds, and either not prove them  
at

at all, or ( which is worse ) prove them upon their own bottom, as when you take upon you to state the Ground of your Wars, and prove the King to be the cause of it, you do it thus :

The King (you say) set up his Standard of War for the advancement and upholding of his Personal Interest, Power, and pretended Prerogative, against the Publick Interest of Common Right, Peace and Safety, How do you prove this? Because he fought for the Militia, for a Power to call and dissolve Parliaments, a negative Voice, to make Judges, confer Honours, grant Pardons, make Corporations inance or debase Money, and avoid his own Grants. These you call his Personal Interest, Power and Prerogative, which you say he fought for; now put the Position and Proof together, and see what sence it will make: truly none but this; That he made War for his Prerogative; because he fought for his Prerogative: is not this fine Logick; but suppose it were sence, how do you prove he fought for his Prerogative? to this you have not one Word to say: and why then should we rather take your Word than the Kings, who protested he took Arms in defence of the Protestant Religion, the Liberty of the Subject, Privileges of Parliament, and Laws of *England*? Certainly there is no Man in his Wits but would rather believe his Words, than your Arguments, if he does but consider that the most improbable part of all, [he protested to fight for the defence of the Privileges of Parliaments,] is found by experience to be no Paradox: how true the rest is, time will instruct you. But yet I cannot see why we should not rather believe them, than the pretences of the Parliament, which were more to fight in defence of his Person, and their own Privileges, which how they have performed your self can tell; but all this while you have mistaken your own Question, which was not the right of Cause; but the Cause, or (as you have it) the occasion of the War, and if you had a purpose to know that, Actions had been the only guide of your Inquiry; for Intentions and Words are uncertain, and if they make no Assaults in private Quarrels, I know not why they should in publick; and therefore since we can never agree about the Truth of more remote Causes, 'tis most just for us to place the cause of the War where we find

find the first Breach of the Peace. Now that the King was cleared of this, all indifferent Men, who had the unhappiness to be acquainted with the method of their own undoing, can very well testifie. And if the Parliament should deny it, their own Votes would contradict them, as well as their Actions; for when they first raised Horse and Arms, they pretended to do so, because it appeared the King seduced by wicked Counsel intended to make War against the Parliament; whereby they confess he had not then done it, and they had so little ground to make it appear he ever would, that they were fain to usurp the right of his Cause to justifie their own; And they say took Arms for the Defence of the King, which if we grant, it must follow they first made War against him; for no body else ever did, against whom they could possibly defend Him; nor did their Actions in offering the first violence less declare who began the War, when having an Army ready to invade him, before he set up his Standard, they both followed and set upon him, as they did at *Edge-Hill*. Go as far as you can, you will still find the Scots (whose Quarrel the Parliament took up at the second Hand as well as they followed their Examples) were the first beginners of all.

This being granted, how the King could afterwards do less than he did, I cannot understand: First he was bound by the Law of Nature (which you say is Legislative, and hath a Suspensive Power over all Humane Laws) to defend himself. Secondly, by his Coronation Oath, which he took to keep the Peace; and how could he do that, but by his raising Power to suppress those who had already broken it? Thirdly, by the Laws of the Land, which you say trusted him with the Power of the Sword, and how could he preserve that Trust, if he had fate still and suffered others not only to take it from him, but to use it against him.

But it is most probable that he never intended it, else he was very unwise to let them be before-hand with him, in seizing upon his Castles, Magazines and Ships; for which there can be no reason imagin'd, but that he was loth to give them any occasion (in securing them) to suspect he did but intend a War. And by all this I doubt not but it appears plain enough

to all Rational Men, that he was so far from being the cause of the War, that he rather fell into it by avoiding it; and that he avoided it so long, till he was fain to take Arms at so great a disadvantage, as he had almost as good have sat still, and suffered. And in this you have used the King with the same Justice the Christians received from *Nero*; who having set *Rome* on fire himself, a Sacrifice to his own wicked Genius, laid the Odium of it on the Christians, and put them to death for it.

But this way you found too fair and open for your purpose, and therefore declined it, for having proved his Intentions by his Desires, and his Actions by his Intentions, you attempt a more preposterous way yet, to prove both; by what might have been his Intentions: And to this purpose you have the Confidence (in spite of Sense) to make Contingencies the final cause of Things; And impolitick Accidental, possible Inconveniences (which all the Wit of Man can never avoid) the intended Reasons of State. As when you will have the King fight for the Militia, only to command the Purse of the People, for a Power to make Judges, only to wrest the Laws, to grant Pardons, that publick spirited Men (as you call them) may be made away, and the Murderers pardoned, &c. All which being Creatures of your own Fancie, and Malice, and no part of his Quarrel,) you are so far from proving he fought for that when you have strained your Ability, all you can say is, but this in your own sense, That he fought for a Power to do that which he never would do when it was in his Power: But if you take this Liberty, I cannot but think how you would bestir you self if you could but get your God, as you have done your King, before such an impartial High Court of Justice as this; how would you charge him with his mis-government in Nature, for which by the very same Logick you may prove he made us all Slaves, in causing the Weaker to hold his Life at the pleasure of the Stronger; that he set up a Sun to dazzle our Eyes, that we might not see, and to kindle Feavers in our Veins; made Fire to burn us, Water to drown us, and Air to poison us, and then demand Justice against him, all which you may easily do, now you have the trick (on't, for the very same Reason will serve again, and with much more probability, for 'tis easier

easier to prove that Men have been Burnt and Drowned, and died of the Plague; than to make it appear the King ever used your finer device to remove publick spirited Men, or can you without extream Injustice suppose he ever would? for 'tis so much as very well known he highly favoured and advanced his greatest Opposers, (for such you mean I know) whom he found owners of any eminent desert, as he did the Earl of *Strafford*, and the Attorney General *Noy*, (and for other honest Men as you will have them) whom *Frenzy* or *Sedition* set against him, by your own confession he did not suffer those black Stars (very Strange ones) to slit their Noses, and crop their Ears.

But now I think of these honest publick spirited Men, certainly some of them have not so good an opinion of the honesty of your publick Proceedings, but they would willingly venture not only their Ears again (if they had them) but their Heads too in defiance of your most comprehensive piece of Justice, whose Cause while you take upon you to plead against their consent as you have done your Honourable Clients the People, you deserve in reason to be thrown over the Bar by your own Party for you; but confess your own injustice while you acknowledge the publick honesty of those that most oppose it.

How solid or pertinent those Arguments of yours have been, let any Man that is sober judge: but you are resolved right or wrong they shall pass, to let us know how easily he that has the unhappiness to be judged by his Enemies, is found guilty of any thing they please to lay to his Charge; and therefore satisfied with your own Evidence, you proceed to sentence, and condemn the King with much formality, by the fundamental Laws of this Kingdom, by the general Law of all Nations, and the unanimous consent of all Rational Men in the World, for employing the Power of the Sword to the destruction of the People, with which they intrusted him for their own protection. How you got the consent of Rational Men to this Sentence, I cannot imagine: for 'tis most certain (by your own confession) that he never employed the Sword, but against those who first fought to deprive him of it, and by that very Act declared they did not trust him, and consequently absolved him both from the obligation that he had to protect them,



and the possibility too; for no Man can defend another longer than he defends himself, so that if you will have your Sentence to be just, you must confess it to be non-sence; for you must not only prove that those who fought against him were the People that trusted him, not those who fought for him, but the lesser, or less considerable part of the People, the People (as you have the confidence to call your honourable Clients) being not the twentieth Part of the very Rabble, which if you can do, you are much wiser than *Solomon*: for it is easier to divide a Child into two parts, than to make one of those two parts a whole Child; and if you have the trick on't, you shall be next allowed to prove, that, take four out of six there remains six: Nor is there more Justice or reason in the Sentence, than in the course you take to up-hold it; for while you deny the old Maxim of Law, That the King can do no wrong, you maintain a new one much worse, that he may suffer any; and having limited his Power to act only according to Law, expose him to suffer, not only without, but against Law: Truly it is hard measure; but rather than fail of your purpose, you will make as bold with Scriptures as you have done with Reason, if it stand in your way: as you do when you interpret that place of the Apostles, where no Law is, there is no Transgression, to mean where there is neither Law of God nor Nature, nor positive Law: I wonder where that is, certainly you had better undertake to find out a Plantation for *Archimedes* his Engines to move the Earth, than but fantasie where that can be, which you must do before you can make this Scripture to be understood to your purpose, and I cannot but smile to think how hard a task that will be for such a strong fancy as yours that cannot conceive what your self affirm; for when you deny it possible to suppose two Supream Powers in one Nation, you forget that you had acknowledged much more before, for you confess the King to be Supreme, when you say very elegantly he made Head against the Parliament, who acknowledged him to be the Head thereof, and yet you say the Parliament is the Supreme Authority of the Nation: Thus you affirm that really to be, which you think is impossible to imagine.

But such lucky contradictions of your self as well as sence, are as familiar with you as railing, for besides the many before mentioned, and your common incongruities of Speech,



as far from construction, as the purpose; there are others, which for your encouragement ought not to be omitted; and when you would prove the King the most abominable Tyrant that ever People suffered under, yet you say he was beloved of some, and feared abroad: His Judges you compared to the Saints sitting in Judgment at the last day, and yet by your own Doctrine, they are more like Bears and Wolves, in sitting by a Commission of force, their High Court is a Royal Palace of the Principles of Freedom; and yet till the People voluntarily submit to a Government (which they never did to the authority of that) they were but Slaves. The Parliament (you say) petitioned the King as good Subjects, and yet immediately after you make them his Lords, and himself Servant, so they give him the Honour of his own Royal Assent, and yet they often petitioned him for it. His Tryal you call most impartial, and yet cannot deny all his Judges to be Parties, and his profest Enemies. But you hit pretty right well, when you say he caused more Protestant Blood to be shed, than ever was spilt either by *Rome*, Heathen or Antichristian, for grant that partly to be true, and confess as much Protestant Blood as ever was spilt by the Heathen Romans, unless they could kill Protestants eight hundred Years before there were any in the World; which eloquent piece of Non-sence we must impute to your ignorance in Chronology, or confusion of Notions, which you please. Nor are those Riddles of Contradiction only in your Words, but in the whole course of your Proceedings, for you never do the King any right, but where you do him the greatest wrong: and are there only rational, where you are most inhuman, as in your additional Accusations, since his Death, for there you undertake to prove some thing, and give your Reasons (such as they are) to make it appear, which were fair Play, if you do not take an advantage too unreasonable, to argue with the Dead. But your other Impeachments consist only of Generals, prove nothing, or Intentions, which can neither be proved, or your own forc'd Constructions of Actions, or what might have been Actions, but never were; all which you only aggravate with Impertinency, and foul Language, but never undertake to prove; and if we should grant all you would say, and suppose you said it in sence or order, it would serve you to no purpose, unless you have by

Proof

Proof or Argument applied it to him, which you never went about to do.

But if this were the worst, you might be born with, as a thing more becoming the Contempt, than the anger of Men; but who can preserve any Patience, that does but think upon that prodigy of your Injustice, as well as Inhumanity, to accuse the King after his Death, for what you were ashamed to charge him with alive your self, for what you say concerning the Death of King *James*, you will become the Storm of your own Party, for they never used it further than they found it of advantage to some Design they had in hand; as when they would move the King to grant their Propositions, they made it serve for an Argument to him, if he would sign he should be still their gracious King, if not he killed his Father: But when they found he would not be convinced with such Logic, they laid it utterly aside, for (without doubt) they had not lost an advantage so useful as they might have made it in the Charge, had they not known it would have cost them more Impudence to maintain, than they should need to use in proceeding without it, but let us consider your Students Might with which you first say you are satisfied, and yet after have it as a Riddle. First he was observed to hate the Duke, but instantly upon the Death of King *James*, took him into his special Grace and Favour, of which you conceive this Art must be the cause. Believe me, your Conjecture is contrary to all Experience, and the common manner of Princes, who use to love the Treason, but hate the Traitor; and if he had been so politick a Tyrant, as you would describe him, he would never believe his Life safe, nor his Kingdom his own, while any Man lived, (much less his Enemy, whom such a King would never trust) of whose gift and secrecie he held them both; nor is it likely that he who would not spare the Life of his Father to gain a Kingdom, should spare the Life of his Enemy to secure it. As for his dissolving the Parliament, I believe not only all Wise Men, but all that ever heard of this will acquit him, whether he did it to avoid the Dukes Impeachment you cannot prove, but if you could, you must consider that in such cases Princes may as well protect their Favourites from Injury as Justice, since no innocence can serve them

them if they lie as open to the question, as they do to the envy of Men.

But for the better satisfaction of those you appeal to, I shall add this: It is most certain that this Humour of Innovation began to stir in the first Parliament of this King, and grew to an Itch in the Commons at the alteration of Government, to which end they first resolved to pull down the chief Instrument thereof, the Duke of *Buckingham*: But having then no Scotch Army, nor Act of Continuance to assure their sitting, all the Wit of Malice could never invent a more politick Course than to impeach him, and put this Article (true or false) into his Charge, for thus they were not only sure of the affections of the People, who out of the common Fate of Favourites, generally hated the Duke, and are always pleased with the ruin of their Superiors, but secured from the King's interposition, whom they believed by this means bound up from protecting the Duke (though he knew his innocency) lest the envy and fancy of all should fall upon himself; but the King who understood their meaning, and knew this was but in order to their further attempts (which always begin with such Sacrifices) suddenly dissolved the Parliament, and by his Wisdom and Policy kept that Calamity sixteen Years after from the People, which the very same Courses and Fate of these unhappy Times, have since brought upon them. But you have taken more pains to prove him guilty since his Death of the Rebellion in *Ireland*, although with as little Reason or Ingenuity; only you deal fairly in the beginning, and tell us what Judgment and Conscience we are to expect from you, when you say as a ground for all your Proofs; If you meet a Man running down Stairs with a bloody Sword in his Hand, and find a Man stabbed in the Chamber, though you did not see this Man run into the Body by that Man which you met; yet if you were of the Jury you durst not but find him Guilty of the Murder, I hope not before you know whether the Man killed were sent by the King to fetch the Man you met, for then you may say it must be in his own Defence: Truly you are a subtil Enquirer, but let us hear some of the clear Proofs; First, he durst never deny it absolutely: besides the notorious falshood of that, it is most senseless to imagine that he who  
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had wickedness enough to commit so horrid an Act, should have the innocent modesty not to deny it, when he durst not own it. He sent Thanks to *Muskerry* and *Plunket* by *Ormond*, which you are confident his height of Spirit would never have done, if he had not been as guilty as themselves; and may not *Ormond* that carried the Thanks be by the same reason as well proved guilty as the King? What's next, If he had not been guilty he would have made a thousand Declarations, and have sent to all Princes in the World for assistance against such Hell-Hounds, and Blood-Hounds, &c. That was impossible to be done without sending to the Pope, and then you would have proved it clearly indeed. But the Copy of his Commission to the Irish Rebels is in the Hands of the Parliament. 'Tis most certain they never believed it themselves, else it had not been omitted in the Charge. But now for an Argument to the Purpose, After the Irish were proclaimed Traitors and Rebels by the King, their General Council made an Oath to bear true and faithful Allegiance to King *Charles*; and by all means to maintain his Royal Prerogative against the Puritans in the Parliament of *England*, which they would never have done unless he had commanded or consented to the Rebellion: But observe then what will follow; After the two Houses at *Westminster* were proclaimed Rebels and Traitors by the King: They made a solemn Covenant to defend his Royal Person, Rights and Dignities against all Opposers whatsoever, and therefore by the same reason he did command or consent to the War raised by the Parliament against himself. But did they not say they had his Commission, and call themselves the King and Queens Armies? But then, you forgot who they were that said so, Hell-Hounds and Blood-Hounds Feinds and Firebrands, and Bloody Devils, not to be named without Fire and Brimstone, do you think such are not to be believed, (especially when they speak for their own advantage), rather than the People of God, the faithful of the Land at *Westminster*, who likewise when they raised Forces, said they did it for the King and Parliament. Can any Man in his Wits deny but the King is to be believed before either of these? And yet you cannot be perswaded, but his offer to go in Person to suppress the Rebellion, was a design to return at the Head of twenty or thirty thousand Rebels to have destroyed

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this Nation; that's very strange; but first how shall we believe what you say before, (to shew your breeding?) never was Boar so unwillingly brought to the stake, as he was to declare against the Rebels, if he offered to adventure his person to suppress them; when you have made this agree in sense, let us know how you can suppose the same person, the wisest King in Christendom, and yet so foolish to study his own destruction; for who could suffer so much in the ruin of this Nation as himself? For his hindring the Earl of *Leicester's* going into *Ireland*, he had much more reason to do so, than the Parliament had to hinder him, and therefore you may as well conclude them guilty, as him, of the Rebellion.

That he sold or exchange'd for Arms and Ammunition the Cloath and Provisions sent by the Parliament to the Protestants in *Ireland*, you must either accuse the Parliament which seiz'd upon his Arms first and used them against him, as prove them above the Law of Nature, (which I believe you had rather do) that commands every Man to defend himself. But the Rebels in *Ireland* gave Letters of mark for taking the Parliaments Ships, but freed the Kings as their very good friends. I see you are not such a Wizard at Designs as you pretend to be; for if this be the deepest reach of your subtilty, had you been a Senator in *Rome* when *Hannibal* invaded *Italy* and burn'd all the Country of the *Roman* Dictator, you would have spared no longer to have proved him Confederate with the Enemy. But I fear I may seem as vain as your self in repeating your impertinencies: There is one Argument that would have serv'd instead of all, to convince you of Wickedness and Folly in this business, and that is the silence of the Charge, which by your own rule ought to be taken *pro confesso*) there was never any such thing.

I will not trouble my self nor any body with your French Legend, as being too inconsiderable to deserve any serious notice, built only upon Relations and Hearsays, and proved with your own Conjectures, which how far we are to credit from a man of so much byas, and Mistakes, any of those you appeal to shall determine, to whom I shall say but this, that you do but acknowledge the injustice of the Sentence, while you strive to make it good, with such additions; for if you had not be-  
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lieved it very bad, you would never have taken so much pains to mend it. And I hope your High Court will punish you for it, whose Reputation your officious Indiscretion hath much impaired to no purpose: for though we should grant all your Additions to be true, as you would have it, it does not at all justify the King's death, since he did not dye in relation to any thing there objected, and all you can possibly aim at by this pitiful Argument, is but to prove him guilty because he was punished, for you can never prove him punished because he was guilty.

For your Epilogue, I have so much charity to believe it, being of a different thread of Language, none of your own; but either penned for you by your *Musloe Peeters*, or else you writ Short-hand very well to copy after the Speech of his Tongue. However you came by it, sure I am it could come from no body else: and having said so, I hope I shall need to say no more; for I shall be loath to commit the sin of repeating any of it: but since 'tis but a frippery of common places of Pulpit Railing, ill put together, that pretend only to Passion, I am content you should use them your self, and be allowed to say any thing with as little regard as if you wore your Privilege: yet lest you should grow so conceited as to believe your self, I will take *Solomon's* Advice, and answer you not in your own way of railing or falsehood, but in doing some right to Truth and the memory of the dead, which you have equally injured.

That he was a Prince of incomparable Vertues, his very Enemies cannot deny, (only they were not for their purpose) and those so unblemish'd with any personal Vice, that they were fain to abuse the security of his Innocence both to accuse and ruin him. His Moderation (which he preserved equal in the extremity of both fortunes) they made a common disguise for their contrary Impalations, as they had occasion to miscall it, either an easiness to be inflicted by others, or Obstinacy to rule by his own Will: this temper of his was so admirable, that neither the highest of Temptations, Adoration and Flattery, nor the lowest of Misery, Injuries, the Insolency of Fools, could move him. His constancy to his own Vertues was no mean cause of his undoing; for if he had not stared the



the Principles of Government upon unalterable Right, but could have shifted his Sails to catch the popular Air when it grew high (as his Enemies did) they had never undone him with empty pretendings to what he really meant. His Wisdom and Knowledge were of so noble a capacity, that nothing lay so much out of his reach as the profound Wickedness of his Enemies, which his own Goodness would neither give him leave to suspect, nor his Experience power to discover; for they managed the whole course of his ruine, as they did the last act of it, in disguise, else so great a Wit as his had never been circumvented by the Treachery and Cheat rather than Policy of ignorant persons. All he wanted of a King was, he knew not how to dissemble, unless concealing his own Perfections were so; in which he only deceived his People, who never understood his great Abilities, till their Sins were punish'd with the loss of him. In his death he not only out-did the high Resolutions of the antient *Romans*, but the humble Patience of the Primitive Martyrs; so far from the manners of Tyrants who use to wish all the World their Funeral Pile, that he employed the care of his last Thoughts about the safety of his very Enemies, and died not only consulting, but praying for the preservation of those whom he knew resolved to have none, but what was built upon their own Destruction.

All this, and much more, the justice of Posterity (when Faction and Concernment are removed) will acknowledge to be more true of him than any of those Slanders you (or the mad wickedness of this Age) have thrown upon his Memory, which shall then, like dung cast at the roots of trees, but make his Name more flourishing and glorious; when all those monuments of Infamy you have raised shall become the Trophies of his Vertue, and your own shame. In the mean time, as your own Conscience, or the expectation of divine Vengeance shall call upon you, you will see what you have done, and find there is no Murder so horrid as that which is committed with the Sword of Justice, nor any Injustice so notorious as that which takes advantage both of the first silence of the living and that of the dead. In this last you have been very sinful, and in accusing the dead have not behaved your self so like a Saint at the day of Judgment, as the Devil, whose Office is to be Solicitor  
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General in such cases. I will not judge you lest I shou'd do worse, imitate you. But certainly you will find it the worst kind of Witchcraft to raise the Devil by sacrificing to your own Malice, especially to so bad a purpose as you have done, that you might invade the Judgment seat of Christ, and usurp his Jurisdiction before his coming; which you have presumed to do with more rudeness than *Hackett* used, and less formality in not sending your Forerunner to proclaim (in a Turnip Cart) your coming to Judgment. But the worst of all is, you seem to glory in your sins and assert the Martyrdom of your Wickedness, for having supposed a possibility you may fall by the hands of Violence; you arm your self with a forc'd Resolution which you may be confident you will never have need of, for you have no reason to think any man can believe you have deserved a violent death; no, you have deserved rather to live long: so long, till you see your self become the Controversie of wild Beasts, and be fain to prove our Scarecrow. Unless you shall think it just, as you have been condemned out of your own mouth, so you should fall by your own hand: indeed there was no Hangman bad enough for *Judas* but himself; and when you shall think fit to do your self so much right, you shall be your own Soothsayer, and fall by the hand of a *Raviliack*, to whom with more likeness compare your self than to *Henry* the Fourth, for you are no King. What *Raviliack* was, is very well known; what you are, I leave to your own Conscience.

F I N I S.

